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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,988	03/30/2001	Ed Chi	108547	4686

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OLIFF & BERRIDGE, PLC.

P.O. BOX 19928

ALEXANDRIA, VA 22320

EXAMINER
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LESNIEWSKI, VICTOR D

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 04/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/820,988	Applicant(s) CHI ET AL.	
	Examiner Victor Lesniewski	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. The amendment filed 10/28/2004 has been placed of record in the file.
2. Claims 1 and 12 have been amended.
3. The objection to the specification is withdrawn in view of the amendment.
4. The objection to claim 12 is withdrawn in view of the amendment.
5. Claims 1-20 are now pending.
6. The applicant's arguments with respect to claims 1-20 have been fully considered but they are not persuasive. A detailed discussion is set forth below.

### ***Response to Amendment***

7. Claim 1 has been amended to show the determination of a multi-modal content portion feature information including all of a content feature information, connection feature information, inward connection feature information and outward connection feature information. The amendment proves a change in scope to the independent claim as the independent claim now explicitly states the inclusion of all of the above features instead of at least two. However, none of the amended claims show a patentable distinction over the prior art of record as discussed further below.

### ***Response to Arguments***

8. Claims 1, 2, 4, 6-12, 14, and 16-20 remain rejected under 35 U.S.C. 102(b) as being anticipated by Herz (U.S. Patent Number 6,029,195). Claims 3 and 13 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Herz in view of Pitkow et al. ("Mining Longest

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Repeating Subsequences to Predict World Wide Web Surfing,” October 1999). Claims 5 and 15 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Herz in view of Johnson et al. (U.S. Patent Number 5,878,384).

9. Amended claims 1 and 12 remain rejected for the previously stated reasons:

- <Claim 1>

A method for identifying user types in a collection of connected content portions comprising: determining at least one significant user path of connected content portions (column 65, lines 49-54), determining a multi-modal user path user information need for each at least one significant user path (column 7, lines 4-9); for each content portion comprising each of the at least one significant user path, determining a multi-modal content portion feature information including a content feature information, connection feature information, inward connection feature information and outward connection feature information (column 7, lines 1-4); combining each multi-modal content portion feature information for the user path with the multi-modal user path user information need (column 7, lines 9-18); determining a similarity function and a measure of similarity for the multi-modal user path information (column 15, line 34 through column 17, line 57); determining a multi-modal clustering type (column 24, line 40 through column 25, line 10); clustering the multi-modal user path information based on the multi-modal clustering type, the similarity function and the measure of similarity (column 23, lines 60-66).

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- <Claim 12>

The system of claim 11, wherein the multi-modal user path user information need is a multi-modal user path information need vector and the multi-modal content portion feature information is a multi-modal content portion feature vector (column 15, lines 53-60).

10. In the remarks, the applicant has argued:

- <Argument 1>

Herz does not disclose the use of both inward connection feature information and outward connection feature information as recited in independent claims 1 and 11.

11. In response to argument 1, Herz does disclose the use of both inward connection feature information and outward connection feature information as recited in the independent claims. The previous line citations for these and related features (mainly in and around column 7) describe the construction of a target profile for each target object in Herz's system based on certain attributes of the target object. For clarification as to these objects and attributes, the applicant is directed to the section of Herz titled "Target Objects and Attributes" beginning in column 9.

12. Here Herz goes into more detail in how he approaches information retrieval. He states the use of many target objects that can be identified by a target profile. The target profile is made up of several different pieces of information called attributes. See column 10, lines 37-52. Herz goes on to describe different kinds of attributes (numeric, textual, and associative) and to show how several different kinds of attributes can be used together to create a target profile.

13. It is clear that Herz discloses a content feature information, connection feature information, inward connection feature information, and outward connection feature information in the many different attributes he discusses for creating a target profile. Specifically, he addresses inward connection feature information and outward connection feature information by stating the use of a list of documents that a hypertext document links to and a list of documents that link to it as possible associative attributes. See column 12, line 61 through column 13, line 19.

14. In addition, the applicant has argued that claims rejected under 35 U.S.C. 102 and 35 U.S.C. 103, but not explicitly discussed, are allowable based on the above arguments. Thus, claims disclosing similar limitations to the discussed claims and related dependent claims remain rejected under the same reasoning as presented above.

### *Conclusion*

15. **THIS ACTION IS MADE FINAL.** The applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor Lesniewski whose telephone number is 571-272-3987.

The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Victor Lesniewski  
Patent Examiner  
Group Art Unit 2155



**HOSAIN ALAM**  
**SUPERVISORY PATENT EXAMINER**